



PAT MCCRORY
Governor

DONALD R. VAN DER VAART
Secretary

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Director

November 22, 2016

Heather McTeer Toney
Regional Administrator
U.S. Environmental Protection Agency, Region 4
Sam Nunn Federal Center
61 Forsyth Street, SW
Atlanta, Georgia 30303-8960

Subject: State Implementation Plan Revisions for Startup, Shutdown and Malfunction

Dear Ms. Toney:

On September 8, 2016, the Environmental Management Commission (EMC) amended Rule 15A NCAC 02D .0535, Excess Emissions Reporting and Malfunctions, and adopted Rule 15A NCAC 02D .0545, Treatment of Malfunction Events and Work Practices for Startup and Shutdown Operations, which were the subject of public hearings held on July 18, 2016 and July 20, 2016. This rulemaking was undertaken to respond to EPA's June 12, 2015 final SIP call and finding of substantial inadequacy with respect to the treatment of excess emissions during periods of startup, shutdown and malfunction. Enclosed is the hearing record for these hearings.

These rules were approved by the state Rules and Review Commission (RRC) at its October 20, 2016 meeting and will become effective on May 22, 2018.

Enclosed in this transmittal are a single hard copy and identical electronic copy of the final rules and hearing record. The redlined version of the final rules differs from those in the hearing record as a result of technical changes required by the state RRC consistent with the state Administrative Procedures Act.

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We look forward to your review and final approval of the adopted and amended rules. Please feel free to contact me or Joelle Burleson of my staff at (919) 707-8720 if you have any questions regarding this matter.

Sincerely,



Sheila C. Holman, Director
Division of Air Quality, NCDEQ

Enclosures

SCH/ssm

cc: Beverly Banister, USEPA
Scott Davis, USEPA
Lynorae Benjamin, USEPA
Nacosta Ward, USEPA